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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

PHAN, JOSEPH T

ART UNIT	PAPER NUMBER
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2645

12

DATE MAILED: 12/31/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

TS

Office Action Summary

Application No.

09/325,423

Applicant(s)

ALI ET AL.

Examiner

Joseph T Phan

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 October 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-25 rejected under 35 U.S.C. 102(e) as being anticipated by Janow, Patent #6,061,570.

Regarding claims 1, Janow teaches a notification module for a voice messaging system, comprising:

an auto dialing calling module adapted to initiate a communication with a user at a remote location (20 or 22 Fig.1, col.2 lines 14-20, 41-54 and col.4 lines 2-44) .

a table associating particular events with a need for notification of said user(col.2 lines 30-48) and

a controller to activate said auto dialing calling module to send a notification message to said user upon satisfaction of a particular event based on call related information (50 Fig.1 and col.2 lines 8-54, and col.3 lines 4-52).

wherein said satisfaction of said particular event is determined based on a comparison of one of more entries in said table to call related information contained in a log (100-104 Fig.2, col.2 lines 41-54, and col.3 lines 4-52).

Regarding claim 2, Janow teaches the notification module for a voice messaging system according to claim 1, wherein:

said call related information is Caller ID information (col.2 lines 45-54)

Regarding claims 3 and 4, Janow teaches the notification module for a voice messaging system according to claim 1, wherein:

said particular events include a occurrence of a predetermined number of telephone calls within a range of time from a particular caller (col.2 lines 45-54).

Regarding claim 5, Janow teaches the notification module for a voice messaging system according to claim 1, wherein:

said particular events include a predetermined number of telephone calls from any party within a predetermined range of time (col.2 lines 45-54; the predetermined number is one call).

Regarding claims 6 and 7, Janow teaches the notification module for a voice messaging system according to claim 1, further comprising:
an audible notification message to be communicated to said remote user (col.2 lines 55-67; a telephone ring is audible).

Regarding claim 8, Janow teaches the notification module for a voice messaging system according to claim 6, wherein:
said notification message is a textual message (11 Fig.1 and col.1 lines 31-37; email is textual).

Regarding claims 9 and 10, Janow teaches the notification module for a voice messaging system according to claim 1, further comprising:

a remote notification designation identifying a telephone number/communication address of said remote user (col.1 lines 55-64 and col.3 lines 45-58).

Regarding claim 11, Janow teaches the notification module for a voice messaging system according to claim 10, wherein:
said communication is provided by establishment of a telephone call (col.1 lines 55-64 and col.3 lines 45-58).

Regarding claim 12, Janow teaches the notification module for a voice messaging system according to claim 10, wherein:
said communication includes transmission of information over the Internet (13 Fig.1 and col.1 lines 31-37).

Regarding claim 13, Janow teaches the notification module for a voice messaging system according to claim 10, wherein:
said communication is an email message (11 Fig.1 and col.1 lines 31-37).

Regarding claim 14, Janow teaches the notification module for a voice messaging system according to claim 10, wherein:
said voice messaging system is a telephone answering device (20-22, 50 Fig.1 and Fig.2 ; a device is understood to answer a telephone call).

Regarding claim 15, Janow teaches the notification module for a voice messaging system according to claim 1, further comprising:
a call related information detector/receiver to detect and receive call relating information regarding incoming telephone calls (col.2 lines 41-54 and col.3 lines 4-21).

Regarding claim 16, Janow teaches a method for notifying a user of a voice messaging system or other designated party upon satisfaction of a predetermined event based on logged call related information regarding incoming calls, comprising: logging a plurality of entries of call related information as it is received by said voice messaging system (col.1 lines 38-41 and col.2 lines 30-40, and col.5 lines 29-36);

reviewing said plurality of entries of logged call related information for satisfaction of a predetermined event by one or more of said incoming calls based on said logged call related information and calling a remote user with a notification message in response to satisfaction of said predetermined event (col.1 lines 45-64, col.2 lines 41-54, and col.3 lines 4-52).

Regarding claims 17 and 18, Janow teaches the method for notifying a user of a voice messaging system or other designated party upon satisfaction of a predetermined event based on logged call related information regarding incoming calls according to claim 16, wherein:

said remote user is notified by the establishment of a telephone call from said voice message system (col.3 lines 36-52).

Regarding claim 19, Janow teaches the method for notifying a user of a voice messaging system or other designated party upon satisfaction of a predetermined event based on logged call related information regarding incoming calls according to claim 16, wherein:

said remote user is notified with a textual notification message (11 Fig.1 and col.1 lines 31-37; email is textual).

Regarding claim 20, Janow teaches the method for notifying a user of a voice messaging system or other designated party upon satisfaction of a predetermined event based on logged call related information regarding incoming calls according to claim 16, wherein:

said textual notification message is an email message (11 Fig.1 and col.1 lines 31-37).

Regarding claim 21, Janow teaches the method for notifying a user of a voice messaging system or other designated party upon satisfaction of a predetermined event based on logged call related information regarding incoming calls according to claim 16, wherein:

said call related information is Caller ID information (col.2 lines 45-48 and col.3 lines 4-21).

Regarding claim 22, Janow teaches the method for notifying a user of a voice messaging system or other designated party upon satisfaction of a predetermined event based on logged call related information regarding incoming calls according to claim 16, wherein:

said voice messaging system is a telephone answering device (20-22, 50 Fig.1 and Fig.2 ; a device is understood to answer a telephone call).

Regarding claim 23, Janow teaches an Apparatus for notifying a user of a voice messaging system or other designated party upon satisfaction of a predetermined event based on logged call related information regarding incoming calls, comprising:
means for logging a plurality of entries of call related information as it is received by said voice messaging system(col.1 lines 38-41 and col.2 lines 30-40, and col.5 lines 29-36);

means for reviewing said plurality of entries of logged call related information for satisfaction of a predetermined event by one or more of said incoming calls based on said logged call related information(col.1 lines 45-64 and col.2 lines 45-48); and means for notifying a remote user with a notification message in response to satisfaction of said predetermined event (col.2 lines 30-54, and col.3 lines 4-52).

Regarding claim 24, Janow teaches a telephone answering device (50 Fig.1) comprising: a controller(20-22, 50 Fig.1) and voice recorder/playback module (10 and 50 fig.1); and a calling module activated by receipt of predetermined call related information (20, 22 Fig.1), said calling module being adapted to initiate a telephone call to a predetermined notification telephone number upon satisfaction of a predetermined event based on received call related information to notify a remote user with a notification message (col.2 lines 30-54 and col.3 lines 36-52)

Regarding claim 25, Janow teaches the telephone answering device according to claim 24, wherein:

said calling module is further adapted to provide a notification message to a party answering said predetermined notification telephone number (col.3 lines 36-52).

Response to Arguments

2. Applicant's arguments filed 10/01/03 have been fully considered but they are not persuasive. Regarding claims 1-15, Applicant argues that the prior art of record, Janow, does not teach sending a notification message to a user upon satisfaction of a particular event based on call related information. It is noted that call related

information can be any information that is related to a call. Janow col.2 lines 45-48 teaches information related to the logged call (ie. caller ID, urgency, time, etc.) and upon satisfaction of particular event based on the call related information, sends a notification to a user.

Regarding claims 16-23, applicant argues that Janow, does not teach reviewing a plurality of entries of call related information for satisfaction of a particular event. It is noted that Janow teaches that several waiting messages can be reviewed (col.1 lines 38-41, col.2 lines 30-40, and col.5 lines 29-36) and that a plurality of logged entries are reviewed for satisfaction of a pre-determined event [col.1 lines 47-55 and col.2 lines 45-54; Janow teaches 'if-then' programming statements(eg. if one or more of caller ID, urgency code, time of day, etc criteria are met then a notification message is sent)].

Conclusion

3. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph T Phan whose telephone number is 703-305-3206. The examiner can normally be reached on M-TH 9:30-6:30, in every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on 703-305-4895. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-9600.

Allan Hoosain
ALLAN HOOSAIN
PRIMARY EXAMINER *for*
Fan Tsang

JTP
December 24, 2003 *JTP*